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The Honourable GEORGE J. FUREY,
Speaker

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THE SENATE

Wednesday, May 8, 2019

The Senate met at 2 p.m., the Speaker in the chair.

Prayers.

SENATORS' STATEMENTS

MENTAL HEALTH WEEK

Hon. Jane Cordy: Honourable senators, I rise today to recognize Mental Health Week in Canada. Slowly but surely, we as a society are realizing the importance of taking care of our mental health. We know that our mental well-being is equal to that of our physical well-being, and that a fracture in one can result in problems for the other.

Perhaps one of the greatest benefits of this awakening are the many people, including well-known actors, athletes, writers and politicians who are speaking about their own struggles with poor mental health. This has helped tremendously in removing the stigma that has been associated with difficulties related to mental health.

We know that 20 per cent of Canadians — that is one in five people — will suffer from poor mental health at some point in their lives. The struggle can last from two weeks to two months or two years, and in some cases it may be something that a person works with for the rest of their lives. If we also consider the impact on friends and family, it is easy to see that mental health touches the lives of most Canadians.

Honourable senators, we are not always aware of what other people are dealing with in their personal lives. We know people in our families, workplaces and neighbourhoods who are living with poor mental health. It is important that we learn to support those who may need our help.

There are a number of organizations and groups that are doing their part to end the stigma of mental illness and to offer help. Here, in the Senate, we have the Senate Mental Health Advisory Committee with a mental health web page on IntraSen.

I would also like to highlight an event taking place here in Ottawa on Saturday, May 11. It is called Darkness Into Light. It is a 5-kilometre walk/run for self-harm and suicide awareness and prevention. It is an early-morning experience that begins in the darkness at 5:00 am, as people walk or run a 5-kilometre route while dawn is breaking. It is a powerful experience that reminds us that no one walks alone and that it is possible to move from despair to hope, from darkness into light. The event will be taking place at Britannia Park. All funds go to support the Youth Services Bureau of Ottawa, which offers various services and immediate support, including mental health services to thousands of youth in crisis. I want to thank the organizers and participants of Darkness Into Light events that are taking place across the country.

Honourable senators, during Mental Health Week, I would also like to recognize the work that has been done by our colleague Senator Dr. Kutcher in the field of adolescent mental health. Senator Kutcher is a leader in mental health research, training and policy. He has been recognized as a Champion of Mental Health by the Canadian Alliance on Mental Illness and Mental Health. He has received the Order of Nova Scotia and the Naomi Rae-Grant Award from the Canadian Academy of Child and Adolescent Psychiatry. As Senator Coyle told us last week, Senator Kutcher recently received his honorary doctorate from StFX University for his work in mental health.

Honourable senators, let us all continue to work to reduce the stigma of mental illness. Let us be proactive and protective in the care of our mental well-being and make mental health a deliberate part of our self-care routine. Thank you.

Hon. Peter M. Boehm: Honourable senators, I too rise today in joining Senator Cordy to recognize and support Mental Health Week.

As many of you know, the terms “mental health” and “mental illness” are often mistakenly used interchangeably. It is important to make a distinction between the two.

[Translation]

Like physical health, mental health is a state of well-being that we all need to cultivate on a daily basis.

[English]

Mental illness, on the other hand, comes in many forms, ranging from anxiety, eating, bipolar, and obsessive-compulsive disorders, to depression, phobias, autism, PTSD, and schizophrenia, among others.

It is important to note that mental illness does not discriminate: It can affect anyone, at any age, of all socio-economic backgrounds and walks of life and can have significant impacts on one's well-being.

As I look across this chamber, I'm sure that all of us, my dear colleagues, have been impacted in one way or another by mental health issues in our lives.

[Translation]

That's why I believe it's vital to fight the stigma by speaking out about mental health, not just during Mental Health Week, but year-round.

[English]

The Mental Health Commission of Canada was created in response to the Senate report *Out of the Shadows at Last*, which developed a Framework for Action in Advancing the Mental Health Strategy for Canada.

Our colleague who just spoke, Senator Cordy, was among the senators on the Social Affairs Committee at that time. Senators Dyck and Mercer also participated in this meaningful study.

I wish to also recognize the continuing advocacy of Senators Munson, Bernard and Housakos, and my seat mate, Senator Kutcher, an expert in the field, as we have just heard.

Colleagues, great progress has been made in addressing mental health issues and illness. It is not enough though; much more needs to be done.

To this end, we have had some modest but important developments recently in the Senate. This august institution is not immune from mental health concerns.

A Senate Mental Health Advisory Committee has recently been struck, comprised of administration employees and senators' staff with the active participation of Senators Kutcher, Rob Black and myself.

You may have encountered some of the committee members outside the cafeteria yesterday and today. The committee aims to reduce stigma on mental health and suggest ways forward for all of us.

Mr. Speaker, I would like to thank you for your ongoing interest in the committee's activities and for being a champion for mental health. The committee is in its infancy so it will certainly require and deserve enthusiastic support from all of us.

Colleagues, mental health, our psychological well-being must be a concern for all Canadians. It is the duty of each and every Canadian to change the conversation about mental illness and mental health in order to put an end to the stigma. It is our duty as parliamentarians to ensure that we lead the way. Thank you.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Malcolm and Shirley Tinsley. They are the guests of the Honourable Senator Bovey.

On behalf of all honourable senators, I welcome you to the Senate of Canada.

Hon. Senators: Hear, hear!

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Estrella Shen. She is the guest of the Honourable Senator Woo.

On behalf of all honourable senators, I welcome you to the Senate of Canada.

Hon. Senators: Hear, hear!

IRAN ACCOUNTABILITY WEEK

Hon. Linda Frum: Honourable senators, I rise to acknowledge Iran Accountability Week on Parliament Hill. Each year we, as Canadian parliamentarians, take this opportunity to shine a light on the relentless domestic oppression of human rights and freedoms in Iran.

During Iran Accountability Week we condemn the widespread practice of judicial murder and the unlawful incarceration of political prisoners. We express our horror at the use of physical and psychological torture against religious, sexual and ethnic minorities in Iran. We decry Iran's role in the state sponsorship of terror and its aggression towards Israel via Iranian proxies Hamas, Hezbollah, Islamic Jihad as well as by the IRGC itself.

• (1410)

Since my arrival in this chamber in 2009, I have used Iran Accountability Week to advocate on behalf of Saeed Malekpour, a Canadian resident incarcerated in Evin Prison on trumped up charges. For 10 years, Saeed has been unlawfully detained, tortured and retained as a hostage, all as his personal health has deteriorated gravely. For 10 years, Saeed has been close to my heart and my thoughts, and it saddens me greatly that 10 years have passed without justice for Saeed or the other innocent victims incarcerated in Evin Prison.

Today, for Iran Accountability Week, I want to focus on an area of hope. That manifestation of hope comes from the growing movement of courageous female dissenters who are engaged in a battle of civil disobedience against gender apartheid in Iran by rebelling against the mandatory dress code for women, the enforced hijab. By taking to the streets, unveiling their hair, capturing it on camera and posting the images on social media, these ordinary women have shown themselves to be the most valiant human rights revolutionists of our time. Indeed, some of the most prominent leaders of this movement will be with us in Ottawa tomorrow to attend a seminar sponsored by Irwin Cotler, at the Raoul Wallenberg Centre for Human Rights and the Nobel Women's Initiative. They include the remarkable Masi Alinejad, Maryam Shafipour and Shaparak Sha-jari-zadeh.

Nasrin Sotoudeh, the noble and selfless Iranian lawyer who has defended many of the women imprisoned by authorities for defying mandatory hijab, is now a victim of the regime herself. She is currently incarcerated in Evin Prison and has been sentenced to 148 lashes. On behalf of all in the Senate of Canada, I call on the Iranian authorities to immediately release this champion of human rights and human equality, Nasrin Sotoudeh.

Meanwhile, on the streets of Iran, the rebellion continues and will not stop until dignity, justice and freedom are restored to the Iranian people. As ever, I stand with them.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of family and friends of the Honourable Senator Busson, including her husband, Phil Fairhead; her daughter, Erin Wilcocks; and her sister, Janice Scott.

On behalf of all honourable senators, I welcome you to the Senate of Canada.

Hon. Senators: Hear, hear!

THE HONOURABLE BEV BUSSON

CONGRATULATIONS ON INVESTITURE INTO THE ORDER OF CANADA

Hon. Josée Forest-Niesing: Honourable senators, it is my great pleasure to rise today to congratulate our honourable colleague Senator Beverley Busson. Earlier today at Rideau Hall, Senator Busson was invested as a Member of the Order of Canada.

When one considers this amazing woman's journey and the numerous firsts that she accumulated throughout her impressive career, her merit for such a tremendous honour seems obvious.

From the moment that she responded to a radio message inviting women to join the RCMP in 1974 and stopped by the detachment to pick up an application form until the moment she reached the top job in 2006, becoming the first female commissioner of our national police force, Beverley Busson demonstrated tremendous leadership. More importantly, she stayed true to her main objective: to make a difference in people's lives. As she steadily moved through the ranks, Beverley Busson not only impressed her superiors with her intuitive policing and investigative skills, accumulating numerous awards, medals, honorary doctorates and recognitions along the way, it was her deep concern for people that characterized her approach to leadership.

Upon nominating her to the Senate, the Prime Minister's statement about Senator Busson's career was that hers was a career of firsts: member of the first class of 30 women to become members of the RCMP; first woman to be commissioned, becoming an inspector in 1992; first woman to be named a criminal operations officer of the "F" Division in Saskatchewan in 1997; first woman to be promoted to the rank of assistant commissioner and to become a divisional commanding officer in 1998; first woman to be named deputy commissioner of a region — Pacific Region — in 2001; first woman to lead the RCMP, becoming the twenty-first commissioner in December 2006.

Another important yet little known fact about Senator Busson is that she was the first woman to become my friend upon my arrival in the Senate.

I could go on at length to describe her career or to list the awards bestowed upon her, but you will all have the opportunity to read and hear more about that in the reports on her investiture as a Member of the Order of Canada.

What reveals the most about Senator Busson are her own words from an interview she gave some years ago:

... every day is an opportunity to make a difference in someone's life. Success should be measured by your contributions and how others feel about your leadership, not your rank.

By that measure, my dear friend, you have achieved success.

I invite honourable senators to rise and congratulate Beverley Busson.

Hon. Senators: Hear, hear!

[Translation]

ROUTINE PROCEEDINGS

THE SENATE

NOTICE OF MOTION TO AFFECT QUESTION PERIOD ON MAY 14, 2019

Hon. Diane Bellemare (Legislative Deputy to the Government Representative in the Senate): Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That, in order to allow the Senate to receive a Minister of the Crown during Question Period as authorized by the Senate on December 10, 2015, and notwithstanding rule 4-7, when the Senate sits on Tuesday, May 14, 2019, Question Period shall begin at 3:30 p.m., with any proceedings then before the Senate being interrupted until the end of Question Period, which shall last a maximum of 40 minutes;

That, if a standing vote would conflict with the holding of Question Period at 3:30 p.m. on that day, the vote be postponed until immediately after the conclusion of Question Period;

That, if the bells are ringing for a vote at 3:30 p.m. on that day, they be interrupted for Question Period at that time, and resume thereafter for the balance of any time remaining; and

That, if the Senate concludes its business before 3:30 p.m. on that day, the sitting be suspended until that time for the purpose of holding Question Period.

ADJOURNMENT

NOTICE OF MOTION

Hon. Diane Bellemare (Legislative Deputy to the Government Representative in the Senate): Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That, when the Senate next adjourns after the adoption of this motion, it do stand adjourned until Monday, May 13, 2019, at 6 p.m.;

That committees of the Senate scheduled to meet on that day be authorized to do so for the purpose of considering government business, even though the Senate may then be sitting, and that rule 12-18(1) be suspended in relation thereto;

That, notwithstanding rules 9-6 and 9-10(2), if a vote is deferred to that day, the bells for the vote ring at the start of Orders of the Day, for 15 minutes, with the vote to be held thereafter; and

That rule 3-3(1) be suspended on that day.

CANADA-JAPAN INTER-PARLIAMENTARY GROUP

CO-CHAIRS' ANNUAL VISIT TO JAPAN, OCTOBER 9-12, 2018—
REPORT TABLED

Hon. Jim Munson: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian Delegation of the Canada-Japan Inter-Parliamentary Group respecting the Co-Chairs' annual visit to Japan, held in Tokyo, Fukushima and Sapporo, Japan, from October 9 to 12, 2018.

• (1420)

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

MOTION TO AUTHORIZE COMMITTEE TO MEET DURING SITTING
OF THE SENATE—LEAVE DENIED

Hon. Chantal Petitclerc: Honourable senators, with leave of the Senate and notwithstanding rule 5-5(a), I move:

That the Standing Senate Committee on Social Affairs, Science and Technology have the power to meet on Wednesday, May 8, 2019, at 4:15 p.m., even though the Senate may then be sitting, and that rule 12-18(1) be suspended in relation thereto.

The Hon. the Speaker: Is leave granted, honourable senators?

Some Hon. Senators: No.

The Hon. the Speaker: Leave is not granted.

ENERGY, THE ENVIRONMENT AND
NATURAL RESOURCESMOTION TO AUTHORIZE COMMITTEE TO MEET DURING SITTINGS
AND ADJOURNMENT OF THE SENATE—LEAVE DENIED

Hon. Rosa Galvez: Honourable senators, with leave of the Senate and notwithstanding rule 5-5(a), I move:

That the Standing Senate Committee on Energy, the Environment and Natural Resources have the power to meet, in order to continue its study of Bill C-69, An Act to enact the Impact Assessment Act and the Canadian Energy Regulator Act, to amend the Navigation Protection Act and to make consequential amendments to other Acts, on Monday, May 13, 2019, at 6 p.m. and on Tuesday, May 14, 2019, at 5 p.m.:

- (a) even though the Senate may then be sitting, and that rule 12-18(1) be suspended in relation thereto; and
- (b) even though the Senate may then be adjourned for more than a day but less than a week, pursuant to rule 12-18(2)(a).

The Hon. the Speaker: Is leave granted, honourable senators?

Some Hon. Senators: No.

The Hon. the Speaker: Leave is not granted.

QUESTION PERIOD

JUSTICE

VICE-ADMIRAL MARK NORMAN

Hon. Larry W. Smith (Leader of the Opposition): My question is for the Leader of the Government in the Senate and has to do with the decision announced in an Ottawa court this morning to stay the single criminal charge against Vice-Admiral Mark Norman.

[English]

There are obvious comparisons here to the SNC-Lavalin scandal. In both cases, the Prime Minister sought to discredit and ruin an individual who stood up to him. The former Attorney General lost her cabinet post. The Vice-Admiral lost his life's work and might have lost his freedom. On two occasions well before Vice-Admiral Norman was charged, the Prime Minister stated publicly twice that this matter would end up before the courts.

Senator Harder, what possible reason would the Prime Minister have to make public comments like that not once but twice?

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for his question. Let me reassert that in the case of Vice-Admiral Norman, the prosecution in question was handled entirely through the Public Prosecution Service of Canada which, as the honourable senator will know, is arm's-length and operates independently.

The director of the Public Prosecution Service of Canada stated in February — and then repeated today — that there was no contact or influence from outside the Prosecution Service in either the decision to prosecute or in the decision to stay the charges of today.

I think it's important we all recognize that this case is one that has followed entirely through the appropriate arm's-length decision-making of the Public Prosecution Service of Canada.

Senator Smith: Thank you, Senator Harder. That's not the issue that we brought up. It is clear that the prosecutors conducted themselves accordingly. The question is whether the PMO and Privy Council interjected. That will come out in the near future, in terms of whatever quality information is dug up.

After what has been surely a terrible ordeal, it is my hope that Vice-Admiral Norman will be able to regain his normal life and his career of service to Canada. That should begin with an apology from the government for all that has been inflicted upon him and his family over the last several years.

Senator Harder, will the government do the right thing and apologize to Vice-Admiral Norman immediately and without reservations? As well, could the Government Leader please tell us if he will be reinstated?

Senator Harder: What I can tell the honourable senator, as he will undoubtedly know, is that the government, acting on the advice from the deputy minister of National Defence, has made the decision to compensate the legal fees of the honourable Vice-Admiral. As to the question the honourable senator has asked, that is before the government for decision.

Hon. Leo Housakos (Acting Deputy Leader of the Opposition): Honourable senators, my question is for the government leader and also concerns Vice-Admiral Mark Norman. While the lawyers in this case came out today and denied there was political interference to stay the charges — although I am not sure how the defence would know that — let's be clear this case has been politically motivated from the start.

The Prime Minister was politically embarrassed by a leak of a very political decision and he wanted someone to pay for that, going as far as to say this matter would be before the courts long before Vice-Admiral Norman was ever charged. When it came down to it, the government dragged its feet in disclosing documents to the Vice-Admiral's lawyers. When documents were released, government leader, they were heavily censored, like the 60-page memo to the Prime Minister from the former Clerk of the Privy Council Michael Wernick, which was fully redacted. Although the charges have been stayed, Canadians still deserve to know what happened and why, perhaps now even more than ever. What was the government so afraid of in these documents that they would reveal? Will the government commit to full disclosure of the details that led to collapse of their case

against Vice-Admiral Norman or is this the same as the threatened lawsuit against Andrew Scheer, in which Justin Trudeau got ahead of himself and now realizes that he is the one who actually has something to hide?

Senator Harder: Let me repeat that the decisions to prosecute and to stay the prosecution were made by the director of the Public Prosecution Service of Canada and not at the direction of the government, and that the consequences of the decision to stay the procedures were made by the director through the appropriate channels at the time that the director felt it was appropriate.

Senator Housakos: Government leader, as far as the lawyers in this case coming out today and denying there was political interference in the decision to stay the charges, did they make that statement as a condition of having these charges dropped? We have heard today that the government has already made a financial agreement with the defence, but have there been other conditions attached to this particular agreement? For example, have confidentiality agreements been attached to this agreement? How far is this government willing to go to cover up its own corruption and at what cost to taxpayers?

You said earlier in an answer with regard to the prosecutor's office making it clear today in a statement that there was no political interference in the Vice-Admiral Norman case. Why didn't they make the same clear defined comment when it came to the SNC-Lavalin case? Can the government ask the prosecutor's office to make the same declaration they did today on the Norman case regarding the SNC-Lavalin case — that there was no political interference in the DPA request?

Senator Harder: I thank the honourable senator for his plethora of questions. Let me simply repeat that the government had no role in determining whether a prosecution proceed. As I and the director have indicated, the government did not make the decision to stand the prosecution. That was made independently by the arm's-length Public Prosecution Service of Canada. With respect to the speculation of the honourable senator with regard to what conditions may or may not be attached, I frankly would have to take that under advisement.

[Translation]

PUBLIC SERVICES AND PROCUREMENT

ICEBREAKER FLEET—DAVIE SHIPBUILDING

Hon. Rosa Galvez: My question is for the Government Representative in the Senate. We know that the federal government gave the Irving shipyard a contract to build a sixth arctic and offshore patrol ship.

• (1430)

Construction of these six ships was supposed to be completed between 2019 and 2023, but there have already been significant delays. There are also concerns about the ships themselves. The Standing Senate Committee on National Security and Defence shared its concerns in its May 2017 report, entitled *Reinvesting in the Canadian Armed Forces: A Plan for the Future*.

The report indicates that the committee has doubts about the ships' capabilities. These ships cannot even break ice that is more than a metre thick. They are slower than the B.C. ferries. They will only be able to operate in the Arctic between June and October and will require a Coast Guard icebreaker as an escort in northern waters. An independent review will therefore be conducted of the ships' capabilities in order to determine whether they are actually able to defend Canada's sovereignty.

Senator Harder, could you clarify the reasons why the government continues to add ships to the Irving shipyard contract when they do not meet the Coast Guard's needs in the Arctic?

[English]

Hon. Peter Harder (Government Representative in the Senate): Thank you, senator, for the detailed question. I will have to take that under advisement and get back to the honourable senator.

[Translation]

Senator Galvez: Can you also confirm whether the government plans to award contracts to the Davie shipyard in Quebec City? It produced its last deliverable on time and on budget and wants to rehire the 1,300 workers who were temporarily laid off while awaiting new contracts.

[English]

Senator Harder: I will add that to my enquiry.

ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES

BUSINESS OF COMMITTEE

Hon. Yuen Pau Woo: My question is for the chair of the Standing Senate Committee on Energy, the Environment and Natural Resources. Senator Galvez, I was surprised and disappointed that the Whip of the Opposition has denied leave for this committee to meet on Monday with extended hours in order to deal with clause by clause on a bill that all of this country is looking at very closely and looking to us to move important amendments to improve the bill.

Can you tell us the basis for the motion that you moved and whether it had support from the committee at the meeting held last night?

Hon. Rosa Galvez: Thank you very much for the question, Senator Woo.

I was very surprised, because, as you know, we passed this motion unanimously at committee. Right before the sitting, I confirmed with Senator MacDonald, the deputy chair of the committee, who assured me it was going to be granted.

I am also really disappointed.

Hon. Donald Neil Plett: Your Honour, if I could.

[Senator Galvez]

Senator Galvez, as you clearly know, if you and Senator Woo were paying attention, the Opposition Whip did not deny you leave to sit; he denied leave for this to be considered this day. A notice of motion is that you can make this motion tomorrow, and there is nothing that the Whip of the Opposition party can do in that regard.

Is that not correct?

Senator Galvez: I think what you are saying is that I just have to do it tomorrow, and then you will agree.

What is the difference between doing it today or tomorrow?

Senator Plett: That is not what I said. I'm the one asking the question —

The Hon. the Speaker: Senator Plett, please.

Honourable senators, this is Question Period. There are questions for the Representative of the Government in the Senate or for chairs of committees. We're not into a debate about what happened earlier today.

Just for clarity, if leave is not granted to hear a motion now, any senator can give notice of that exact same motion to be heard the next day. Since neither senator who was denied leave asked for that today, there still is an option to ask for the consent of the house to revert to Notices of Motions and ask to do it later on today —

Senator Plett: That will also require leave.

The Hon. the Speaker: — or tomorrow. That can be done, as well.

There are lots of options open to senators if leave was not granted, but leave was just not granted that it be heard later today.

We now carry on with Question Period.

[Translation]

JUSTICE

VICE-ADMIRAL MARK NORMAN

Hon. Claude Carignan: My question is for the Leader of the Government in the Senate. I'll try to go easy on him and not make him speak too much today.

Last week, Andrew Leslie said he would testify in defence of Vice-Admiral Norman. He resigned from his parliamentary secretary position and announced that he would not be running for re-election as a Liberal. One week later, the government backed down and stayed the charges against Vice-Admiral Norman. Andrew Leslie was at the courthouse this morning to give the vice-admiral a hug. What was Mr. Leslie going to say that had the Trudeau government running scared?

[English]

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for his question. The answer would be speculation. I cannot comment on speculation.

[Translation]

Senator Carignan: Leader of the Government, it just so happens that the key players in this affair, former minister Brison, the now-famous Gerald Butts, and Andrew Leslie, have all fled the government ship. I know you're a strong advocate of transparency in affairs of state. Can you commit to releasing all the documents that would have been made public during the trial?

[English]

Senator Harder: Again, I thank the honourable senator for his question. I will take it under advisement. Obviously, that's not a decision for me to take. There may well be circumstances or procedures that would prevent that, but I will investigate.

ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES

BUSINESS OF COMMITTEE

Hon. David Tkachuk: To the Leader of the Government's relief, I'm not going to ask him a question. My question is for the chair of the Standing Senate Committee on Energy, the Environment and Natural Resources, Senator Galvez.

Yesterday, Senators Wetston and Woo revealed a package of amendments for Bill C-69 at the Environment and Natural Resources Committee. I'm encouraged to see that members of the ISG have come to the conclusion that Bill C-69 requires major changes. As Senator Wetston made clear in the press release yesterday, it has become clear that Bill C-69 is flawed in a number of areas. I couldn't agree more.

But yesterday, we were calling them Senator Wetston's amendments. He took umbrage at that, and he said that they were ISG amendments. You claim that you make up your mind independently, and yet the amendments are being presented as if coming from a caucus.

Senator Galvez, as chair of the committee, can you confirm that the ISG amendment package proposed in committee yesterday has the full support of the independent ISG members? I can agree that, on our side, we have the full support of our caucus. We have very little time left in our study of this bill. Clarity on the position of the ISG would be welcome and helpful.

Can you guarantee that all members of the ISG stand by the amendments?

Hon. Rosa Galvez: Thank you, Senator Tkachuk, for your question. It is my understanding that the amendments presented yesterday belong to the Environment, Energy and Natural Resources senators who belong to the ISG group.

Senator Tkachuk: Are you willing to guarantee that the amendments will have enough support from ISG members to get them through third reading in the Senate?

Senator Galvez: I don't understand your question.

Senator Tkachuk: The question was this: Can you guarantee the amendments will have enough support from ISG members to get them through third reading in the Senate?

Senator Galvez: I don't think so. You should ask that question to the facilitator of ISG. How can I know?

Hon. Judith G. Seidman: My question, too, is for the chair of the Energy, Environment and Natural Resources Committee.

Yesterday, your leader, Senator Woo, said that the ISG had been working closely with the government on Senator Wetston's amendments package and that the ISG had assurances from the government that Senator Wetston's amendments would be accepted.

Can you clarify this, Senator Galvez: Has Senator Wetston's amendments package been developed with the support of government representatives?

Senator Galvez: I'm sorry, I don't know. I'm not aware. I cannot tell you.

Senator Seidman: Perhaps you could tell us whether the government has given assurances that Senator Wetston's package of amendments will be accepted?

Senator Galvez: I cannot answer that. I have no knowledge of that.

• (1440)

[Translation]

BANKING, TRADE AND COMMERCE

BUSINESS OF COMMITTEE

Hon. Jean-Guy Dagenais: My question is for the Chair of the Standing Senate Committee on Banking, Trade and Commerce, Senator Black.

The Standing Senate Committee on Banking, Trade and Commerce conducted a study on Canada's competitiveness and presented its findings in its 24th report, entitled *Canada: Still open for business?* Over the past few months, many CEOs and presidents of corporations expressed concern that Bill C-69 puts Canada at a competitive disadvantage by undermining investor confidence and adding to the uncertainty of Canada's business climate.

Senator Black, would you be prepared to conduct a study on the potential impact of Bill C-69 on Canada's competitiveness?

[English]

Hon. Douglas Black: Yes.

[Translation]

Senator Dagenais: Thank you.

[English]

PUBLIC SAFETY

CARLETON UNIVERSITY—CONFUCIUS INSTITUTE

Hon. Thanh Hai Ngo: My question is for the Leader of the Government in the Senate. Last month, the National Security and Intelligence Committee of Parliamentarians concluded that China represents a clear threat to Canada's national security. Its annual report said that the Chinese Communist Party had, and I quote:

... a number of official organizations that try to influence Chinese communities and politicians to adopt pro-China positions

Such state-sponsored organizations like the Confucius Institute are known for conducting propaganda activities in our universities and operating as the hub for Chinese agents to spy on our communities and coerce our students to do their bidding.

These fully Chinese-funded cultural centres push back whenever we question China's record of denying human rights, ask about the Tiananmen Square massacre, denounce forced re-education camps or concentration camps of up to 1 million Uighur Muslims, Tibet, recognize Taiwan or discuss other violations committed by the Chinese totalitarian government. It is absolutely unacceptable and unthinkable that a foreign country would be able to buy its way into our schools, dictate our curriculum, intimidate our communities and seek to influence our students for their own political gain.

Will the government take this seriously and take steps to terminate this institute like the Province of New Brunswick?

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for his question. Let me assure him that the Government of Canada takes the matter of Canada's national interests and Canada's security at the highest level in its relationships with a whole myriad of international actors, both countries and non-national actors.

With regard to the specific comments and questions of the honourable senator, the institutes to which he refers are not in the jurisdiction of the Government of Canada, and the arrangements that have been made are those of the responsible agencies to respond to.

Senator Ngo: At a time when Canadian-Chinese relations are in crisis, Canadian canola imports and exports have been banned from China and when Canadians have been arbitrarily detained, my question is whether it is appropriate for the government leader in the Senate to be affiliated with an institute that has been

accused of inappropriate links with China's intelligence agencies. Can you explain why your name is still listed under the advisory board of the Confucius Institute of Carleton University?

Senator Harder: I thank you for bringing this to my attention. I have no idea. As the honourable senator will know, when I was appointed to the Senate, I had to resign from all of my philanthropic and other professional activities, and I did so. I am completely unaware of the website to which the honourable senator refers.

[Translation]

ROYAL CANADIAN MOUNTED POLICE— FRANCOPHONE CADETS

Hon. Rose-May Poirier: My question is for the Leader of the Government in the Senate. Regrettably, I didn't get the chance to ask the minister this question yesterday, so I'll ask it now. As of April 1, francophone RCMP cadets no longer have access to training in French. They have to register for bilingual training. It is a major blow to francophone minority communities, especially in rural regions where the RCMP provides services. As they indicate in their letter, Conservative MPs Alupa Clarke and Pierre Paul-Hus consider this to be a violation of the Official Languages Act. Why does your government support this decision and when will you reinstate the francophone program?

[English]

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for her question. I regret she wasn't able to call the question to the attention of the minister yesterday. I will do so and return the answer to the honourable senator.

DEMOCRATIC INSTITUTIONS

SENATE APPOINTMENTS

Hon. Denise Batters: Senator Harder, back in April 2016, when your Senate government leader's office budget was \$250,000, I asked you to tell us the sponsors of the first six independent senators appointed. You gave me those answers in two days.

Fast forward to when I asked you about the sponsors for the last 16 senators appointed. It took your office, now with a budget of \$1.5 million and backed by the full resources of the Trudeau PMO, five months to give me an absolute non-answer.

Why the difference, Senator Harder? Is your trouble with transparency because we now see the 1,700-plus organizations that have sponsored individuals for Senate appointments: big pharma, big banks, radical environmental lobby groups and the Aga Khan Foundation? What exactly are you trying to hide?

Hon. Peter Harder (Government Representative in the Senate): I thank you for repeating this question yet again, and I will repeat my answer yet again.

I was happy to inform the honourable senator when asked with regard to myself. It is inappropriate for me to transgress the personal protection of data for others. As I've suggested in the past, the honourable senator might want to have conversations with those appointed from distinguished backgrounds. I'm happy to be associated with them.

Senator Batters: Senator Harder, as before, it is your job to answer on behalf of the Government in the Senate, and you not only gave me an answer before about yourself but, as I stated, the other six people who were appointed with you.

Senator Harder, yet again the Trudeau government has broken a major election promise. The illusion of an independent and arm's-length Senate appointment process was once and for all shattered with the PMO's admission last week that they use the Liberal Party database to vet shortlists for Senate appointments.

Senator Harder, as the head of the Trudeau government's transition team, it would have been your responsibility to set up the Senate appointment process — one of the first election commitments Prime Minister Trudeau implemented. As a career civil servant, you would have known that accessing an internal Liberal Party database from the Prime Minister's Office was wrong. Did the Trudeau PMO ignore your advice, or did you fail to give it?

Senator Harder: Again, the honourable senator has asked questions with respect to my work before I was appointed, and that is obviously not what Question Period in the Senate is for.

Let me simply say — I'm sorry, can I give the answer?

I will simply say that my work in the transition ended with the installation of the government at the swearing in at Rideau Hall.

The appointments process that was set up consequently and which is still in place is one that has been put in place by the Prime Minister. It is working well. It has appointed, through this independent arm's-length process, 49 distinguished Canadians who have been nominated and have had their candidacy reviewed. As senators will know, for every appointment, the nominations process provides a list of names, and it is not unusual that those names are then vetted through the appropriate vetting processes.

That is how the public appointments are made, and it is one that has yielded the distinguished nominees who are here.

• (1450)

[Translation]

ORDERS OF THE DAY

BUSINESS OF THE SENATE

Hon. Diane Bellemare (Legislative Deputy to the Government Representative in the Senate): Honourable senators, pursuant to rule 4-13(3), I would like to inform the

Senate that as we proceed with Government Business, the Senate will address the items in the following order: consideration of the thirty-fourth report of the Standing Senate Committee on Social Affairs, Science and Technology (Bill C-81, An Act to ensure a barrier-free Canada, with amendments and observations), followed by all remaining items in the order that they appear on the Order Paper.

[English]

Hon. Rosa Galvez: Honourable senators, I ask for leave to revert to Notice of Motions.

The Hon. the Speaker: Is leave granted, honourable senators?

Some Hon. Senators: Agreed.

An Hon. Senator: No.

The Hon. the Speaker: I hear a no. Senator Galvez, leave is not granted.

[Translation]

ACCESSIBLE CANADA BILL

THIRTY-FOURTH REPORT OF SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY COMMITTEE—DEBATE

The Senate proceeded to consideration of the thirty-fourth report of the Standing Senate Committee on Social Affairs, Science and Technology (Bill C-81, An Act to ensure a barrier-free Canada, with amendments and observations), presented in the Senate on May 7, 2019.

Hon. Chantal Petitclerc moved the adoption of the report.

She said: Honourable senators, I rise today in support of the thirty-fourth report of the Social Affairs, Science and Technology Committee. The report deals with Bill C-81, An Act to ensure a barrier-free Canada.

[English]

Bill C-81 proposes to enact the accessible Canada act, with the objective of enhancing the full and equal participation of all persons living with disabilities in society through the identification, removal and prevention of barriers within areas under federal jurisdiction. It would also make related amendments to a number of other acts.

The proposed legislation adds to the rights and protections currently available to persons with disabilities, including those set out under the Canadian Charter of Rights and Freedoms, the Canadian Human Rights Act and the United Nations Convention on the Rights of Persons with Disabilities.

Bill C-81 was referred to the Senate Standing Committee on Social Affairs, Science and Technology on March 21, 2019.

[Translation]

Pursuant to the leaders' agreement, the committee was supposed to report back by yesterday, May 7, 2019, and it did. I sincerely thank my committee colleagues who, despite the tight deadlines created by that agreement, were able to study the bill very efficiently. The committee wouldn't have been able to complete its report on time if it weren't for our highly efficient clerk, Daniel Charbonneau, and Library of Parliament analysts Laura Munn-Rivard and Mayra Perez-Leclerc. I sincerely thank them.

A few groups wanted to take part in our study. We thank them for their interest and, above all, for their understanding since they were unable to appear in person.

[English]

In its study of the bill, the committee endeavoured to follow the principle, "nothing about us without us," consulting with advocacy groups, accessibility experts and other relevant witnesses from the disability community across Canada. On behalf of the committee, thank you to the members of the disability community who offered their knowledge, expertise, ideas and insights on this important piece of legislation.

Over 4 meetings, the committee heard from 20 witnesses and received more than 70 emails from the public and more than a dozen briefs from experts and organizations. Based on the testimony we received, the committee made 11 amendments and 2 observations to Bill C-81 with the goal of strengthening the legislation.

With regard to a timeline, January 1, 2040 has been added to the legislation as a deadline by which Canada must become accessible to persons with disabilities. To address concerns that a deadline acts as a disincentive to quick implementation, Bill C-81 is also amended to state that nothing in the act authorizes any delay in the removal of barriers or the implementation of measures to prevent new barriers as soon as possible.

As well, the preamble section of the bill is amended to state that the identification, removal and prevention of barriers to accessibility must be done without delay.

The deadline of January 1, 2040 was suggested by multiple expert witnesses, including the Honourable David Onley, as a reasonable time frame. Witnesses said that identifying a date was necessary to measure progress, strengthen accountability and propel the implementation of Bill C-81.

[Translation]

Clause 6 of the bill, which sets out the principles of the proposed legislation, is amended by the committee to reflect the fact that people with a disability face many intersecting forms of marginalization and discrimination. This issue was raised several times in committee and in the briefs we received. The purpose of this amendment is to recognize the unique challenges faced by people living with disabilities. For example, handicapped seniors regularly face ageism and may also live in poverty. This enhancement of Bill C-81's principles is important because the legislation provides that the organizations concerned take these principles into consideration when developing their accessibility plans.

[English]

Sign languages in Canada receive express recognition in the amended legislation in two ways.

First, clause 5.1, the clarification provision regarding the identification, removal and prevention of barriers under the area of communication other than information and communication technologies, is amended to include the use of American Sign Language, Quebec Sign Language and Indigenous Sign Languages.

Second, another amendment in the same clause recognizes sign languages as the primary language for communication by deaf persons in Canada.

Many witnesses stated that for people in the Deaf community, sign language is their primary language and a critical part of their culture, enabling them to participate in society.

As well, witnesses pointed to the United Nations Convention on the Rights of Persons with Disabilities, which states that:

Persons with disabilities shall be entitled, on an equal basis with others, to recognition and support of their specific cultural and linguistic identity, including sign languages and deaf culture.

[Translation]

The bill is also amended by adding clause 121.1 to indicate that nothing in any provision of the new accessible Canada act or its potential accompanying regulations limits an otherwise regulated entity's duty to accommodate.

Several witnesses stated that it was important that Bill C-81 not lessen the federal government's existing human rights obligations. Experts from the community of people living with disabilities noted that experience with provincial accessibility legislation suggests that regulated entities could fail to provide accommodations because they mistakenly believe that compliance with accessibility regulations fulfils or eliminates their duty to accommodate.

• (1500)

[English]

The legislation is amended to modify section 172(2) of the Canada Transportation Act, with the goal of removing the Canadian Transportation Agency's ability to dismiss a complaint about inaccessibility in the federal transportation system if the transportation provider has complied with regulations made by the agency.

Some witnesses expressed concern that the regulations made by the Canadian Transportation Agency may not meet the legal duty to accommodate up to the point of undue hardship and may not address individual requirements of people with disabilities.

[Translation]

Finally, two committee amendments, to clauses 94(4) and 143, bring Bill C-81 in line with the Royal Canadian Mounted Police Act. With the adoption of the accessible Canada act, members of the Royal Canadian Mounted Police will be able to file complaints with the accessibility commissioner and receive compensation, just like other public servants.

Your committee also made two observations to the federal government, which are appended to the report. The committee encouraged the government to ensure that public money is never used to create or perpetuate disability-related barriers when it is reasonable to expect that such barriers can be avoided. Furthermore, the committee strongly encouraged the government to create standardized, effective training that will ensure that all Canadians can expect the same level of access to all government services.

Honourable colleagues, the Senate's legal counsel discovered a technical error in the French version of amendment 5(b) of the report that the committee tabled on May 7, 2019. The report states, "remplacer les lignes 22 et 23." However, it should state, "remplacer les lignes 22 à 26." The word "et" should be replaced by "à," and the number "23" should be replaced by "26" in the French version. This is a human error that must be fixed so that we can immediately start building a barrier-free Canada for the 6.2 million Canadians living with a disability.

MOTION IN AMENDMENT ADOPTED

Hon. Chantal Petitclerc: Therefore, honourable senators, with leave of the Senate, in amendment, I move:

That the thirty-fourth report of the Standing Senate Committee on Social Affairs, Science and Technology be not now adopted, but that it be amended in amendment 5b), in the French version, by replacing the instruction line with the following:

"b) remplacer les lignes 22 à 26 par ce qui suit :".

The Hon. the Speaker: Honourable senators, since Senator Petitclerc moved the adoption of the report, she cannot amend it without leave.

Is it your pleasure, honourable senators, to adopt the motion in amendment?

Hon. Senators: Agreed.

(Motion in amendment of the Honourable Senator Petitclerc agreed to.)

[English]

THIRTY-FOURTH REPORT OF SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY COMMITTEE ADOPTED

On the Order:

Resuming debate on the motion of the Honourable Senator Petitclerc, seconded by the Honourable Senator Verner, P.C., for the adoption of the thirty-fourth report, as amended, of the Standing Senate Committee on Social Affairs, Science and Technology (Bill C-81, An Act to ensure a barrier-free Canada, with amendments and observations), presented in the Senate on May 7, 2019.

Hon. Judith G. Seidman: Honourable senators, I rise today to speak to the Standing Senate Committee on Social Affairs, Science and Technology's thirty-fourth report on Bill C-81, An Act to ensure a barrier-free Canada.

Our committee studied this piece of legislation extensively and heard testimony from 20 advocacy groups and umbrella organizations. These included the Federal Accessibility Legislation Alliance, a network comprised of 85 organizations; the Canadian Association of the Deaf; Barrier Free Canada, advocates for accessibility legislation; AGE-Well, Canada's technology and aging network; March of Dimes Canada, an organization that offers a wide range of programs and services to persons with disabilities; the Canadian National Institute for the Blind; the Council of Canadians with Disabilities, a national human rights organization of people with disabilities; Confédération des organismes de personnes handicapées du Québec; and the Canadian Human Rights Commission, all who bring representation of Canada's disability communities.

Although virtually all of the testimony we heard called on us to pass this bill with a degree of urgency, without exception witnesses expressed concerns about certain omissions they asked us to address. While the reflected desire for this legislation was strong, the desire to improve it was even stronger.

After much deliberation and discussion, our committee adopted 11 amendments. Today, I rise to speak to two of these amendments in particular that were raised with consistency throughout our committee hearings.

First, the amendment that addresses the issue of timelines. What we heard from many advocacy groups is that timelines are an essential accountability measure and are necessary if we are to

achieve the purpose of this legislation. For example, Ms. Donna Jodhan, the President of Barrier-Free Canada, said during her testimony on May 1:

Bill C-81 requires timelines. Timelines are essential to ensure that key accessibility measures are taken. Timelines are also required so that progress on accessibility can be measured. In particular, we support recommendations for the bill to include a timeline for achieving a Canada without barriers and timelines with which accessibility standards are developed and enacted by law.

As another example, Ms. Zinnia Batliwalla, the National Manager, Government Relations and Advocacy for March of Dimes Canada, said during her testimony on April 11:

To enable organizations like ours to measure progress and urge change, timelines allow us to better work with our government partners to ensure we are actively moving toward an accessible and inclusive Canada.

Steven Estey, the Government and Community Relations Officer for the Council of Canadians with Disabilities, said during his testimony on April 10:

Bill C-81 is silent on those timelines. That concerns us, not because we feel there is a lack of good intention, not because we feel that officials don't want to move forward, but because five or ten years down the road, we can begin to have meetings. If there is no backstop or wall against which we can say the time has come, people can say, "We're working very hard. We're doing good things." There is no way to say that we're going to get there by a certain time. We are concerned about that.

The former Lieutenant Governor of Ontario, the Honourable David Onley, who has been long involved in developing Ontario's accessibility legislation, made an interesting point. He said that if we make only one amendment to this legislation, it must be around timelines. During his testimony on May 1, the Honourable Mr. Onley stated:

I was part of the discussions at the very beginning in 2005 and the first chair of the minister's advisory committee on the implementation of the act. I, along with most of the members of the first advisory committee, felt that moral suasion and goodwill would be sufficient to achieve the objectives

Having listened, as I mentioned, to hundreds of people from across the province and taken submissions via email and in person, my views changed. I now believe quite firmly that the only way we're going to achieve true and full accessibility is for the various standards and objectives to have a definable date in place and a government that is willing to enforce the implementation of these measures.

• (1510)

This is the type of consistent testimony that led the committee to support the date of January 1, 2040, for Canada to become barrier-free. This will give the federal government and the obliged federally regulated entities 21 years to take the necessary

steps to reach their accessibility requirements, a time frame that is neither too far nor too near. It was said to be one that is realistic and will be seen in our lifetimes.

However, we also made an amendment to ensure that accessibility measures would not be delayed or postponed but enacted as soon as possible. In fact, we added a new clause to the bill, clause 5.2, which states:

Nothing in this Act, including its purpose of the realization of a Canada without barriers, should be construed as requiring or authorizing any delay in the removal or implementation of measures to prevent new barriers as soon as is reasonably possible.

The other amendment I would like to address is the recognition of sign languages as the language of the deaf community. Many organizations that represent Canada's deaf community spoke about the importance for Bill C-81 to recognize sign languages as a way to ensure that deaf persons have equal access to information, communication, employment, government services, transportation and other federally regulated sectors.

As an example, Bill Adair, the Executive Director of the Federal Accessibility Legislation Alliance, said during his testimony on April 10:

. . . we want Bill C-81 to recognize ASL and LSQ as the languages of people who are deaf in Canada. We are not asking for official language status. We are asking that sign languages be included as an integral part of Bill C-81.

This is why. If it were not for the use of signing here today, any person in this room who is deaf would not be privy to my remarks and to the discussions that will follow. This is true of all public hearings. Indeed, the very name implies that these meetings are for those who can hear.

More importantly, if catastrophe were to suddenly strike us, a person who is deaf would not have access to potentially life-saving information. This was the case recently in Pearson Airport when a fire broke out.

Please ensure that ASL and LSQ are written right into Bill C-81 so that there is an expectation for federally regulated entities to provide resources and newsworthy information in sign languages.

Frank Folino, President of the Canadian Association of the Deaf, said during his testimony on May 1:

We commend the Government of Canada and the minister for introducing Bill C-81, which is an important and positive step toward becoming an accessible Canada. However, an integral part of Bill C-81 will achieve its purposes of a barrier-free Canada with legal recognition of ASL and LSQ as the languages of deaf people because this does make a tremendous difference for deaf Canadians, through accessibility, information, communications and services.

Our committee learned about the deaf culture, one which has its own defining characteristics and includes sign languages, cultural norms, historical traditions and heritage. For all of us, this new understanding was very significant and led us to amend the bill to recognize the important role that sign languages play in the lives of Canada's deaf community.

Honourable colleagues, I am extremely proud of the collaboration of our committee members. We have weighed and considered very carefully the passionate testimony we heard from the disability communities. Although the needs of the disability communities are broad and unique, we believe we were able to focus on a few clear amendments that will add value to Bill C-81 without endangering its passage. Through our work, we are convinced that we have both reaffirmed our commitment to the United Nations Convention on the Rights of Persons with Disabilities and made a meaningful piece of legislation even better in response to overwhelmingly consistent requests from the disability communities to the benefit of all Canadians.

Honourable colleagues, I hope that you will support the report of our Social Affairs, Science and Technology Committee on Bill C-81. Thank you.

The Hon. the Speaker: Are honourable senators ready for the question?

It was moved by the Honourable Senator Petitclerc, seconded by the Honourable Senator Verner that this report, as amended, be adopted now.

Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

(Motion agreed to and report, as amended, adopted.)

The Hon. the Speaker: Honourable senators, when shall this bill be read the third time?

(On motion of Senator Munson, bill, as amended, placed on the Orders of the Day for third reading at the next sitting of the Senate.)

BILL TO AMEND CERTAIN ACTS AND REGULATIONS IN RELATION TO FIREARMS

THIRD READING—DEBATE ADJOURNED

Hon. André Pratte moved third reading of Bill C-71, An Act to amend certain Acts and Regulations in relation to firearms.

He said: Honourable senators, six years ago, on April 5, 2013, Lindsay Margaret Wilson was stopped and murdered by shotgun by her ex-boyfriend in Bracebridge, Ontario. Her killer then took his own life. Lindsay was 26 years old.

This is how her mother, Alison Irons, described Lindsay's fatal injuries to the Senate's National Security Committee:

... there was extensive internal injury to my slim daughter's heart and lungs. ... Her right shoulder was fractured and five ribs were shattered to pieces. Her left forearm was completely fractured and left hanging by a thread. ... She had minor gunshot wounds to the back of her head, likely from the first shot spinning her body around, and stippling wounds to the lower part of her beautiful face.

The murderer was a licensed gun owner.

On January 29, 2017, Alexandre Bissonnette shot six people dead and injured 19 others at a Quebec City mosque. One of the survivors, Boufeldja Benabdallah, described how the carnage began:

He took out his handgun and killed the two Guineans who stood at the door. Even though they were now lying in the snow dying, he calmly went over them and shot each of them in the head.

Bissonnette was a licensed gun owner.

Colleagues, the overwhelming majority of firearm owners are good, law-abiding citizens who have absolutely nothing in common with criminals, nor do they suffer from mental illnesses linked to violent behaviour. But there are tragic exceptions. Bill C-71 seeks to address these exceptions.

Since the debate began on this bill, opponents have repeated the assertion that the bill does not attack the so-called real problem, gang crime. This is misleading for two reasons. First, if gang homicides are a significant part of Canada's gun violence, they are only part of the problem. From 2012 to 2017, the number of non-gang-related firearm homicides increased by 55 per cent. Furthermore, firearm suicides, which, of course, have nothing to do with gangs, kill two to three times more Canadians each year than firearm homicides.

Second, the government is fighting gang crime. It has announced an investment of \$327 million in initiatives directed at guns and gangs. Of this sum, \$52 million is provided to the CBSA to help prevent firearms from coming into the country illegally, and \$35 million is being used to enhance the RCMP's new Integrated Criminal Firearms Initiative. The rest of the money is, as we speak, being transferred to provinces and cities across the country to help them fight gang crime.

The government has never claimed that Bill C-71 is a silver bullet. Neither have I. It is part of a series of initiatives, some of which target gangs and organized crime, and others that tackle other facets of firearm violence, as is the case for Bill C-71.

• (1520)

Colleagues, I know that like me, you have received hundreds of e-mails, phone calls and petitions opposing this bill. However, this campaign provides a skewed perspective on public opinion. According to a Leger poll released last month by the Canadian Press, 77 per cent of Canadians are in favour of stricter gun control. This is the case of a clear majority in all of the country's regions. Seven out of 10 Conservative voters agree with stricter gun control.

Let me remind you of the five main measures contained in the bill. The first is background checks. Currently, when licencing authorities determine whether a person is eligible for a firearms licence, they are only required to consider the violent or threatening behaviour of a prospective gun owner over the preceding five years of the applicant's life. If this bill is adopted, the background check will span the life history of the applicant instead of only five years. Some have expressed a concern that because of the removal of this five-year time limitation, an applicant could be prevented from acquiring a gun because, for example, he or she suffered from depression 25 or 30 years ago. This concern is not warranted. The Firearms Act and Bill C-71 make it very clear that the offences and mental health issues considered for background checks are those that involve violence.

Thoroughly vetting the background of a gun licence applicant is simply common sense. According to the Leger poll I just mentioned, 82 per cent of Canadians agree with this measure, including 80 per cent of Conservative voters.

The second is a verification of licence. Since changes to the Firearms Act were brought forward by the previous government, the vendor of a non-restricted firearm is not required to verify the validity of the buyer's gun licence. The vendor may make that verification but is not obligated to do so. Bill C-71 proposes to re-establish this requirement in order to ensure that all buyers of non-restricted firearms are legitimate licence holders.

The third is retailers' records. Bill C-71 will require that firearms businesses keep records of their sales of non-restricted firearms, something that most responsible vendors already do. Making it mandatory will mean that it will be the industry standard to do so, which in turn — and police officers have testified to this — can help law enforcement more efficiently track firearms used by criminals.

Opponents say the new system is a backdoor long-gun registry. This is simply not the case. The government will not have access to the content of the retailers' records, except police officers carrying a warrant related to a specific investigation. To make sure that Bill C-71 did not reintroduce a hunting guns registry, the Conservative opposition in the other place moved an amendment to the bill that reads:

For greater certainty, nothing in this Act shall be construed so as to permit or require the registration of non-restricted firearms.

According to the Conservative MP who moved the amendment, it "solved the problem," and "closed the loophole regarding a long-gun registry." The amendment passed in the

other place and is now part of Bill C-71. Colleagues, if this amendment is good enough to reassure the official opposition in the other place, it's good enough for me.

Senator Plett: Sober second thought.

[Translation]

Senator Pratte: Bill C-71 gives the final say on classifying firearms into the categories set out in the Criminal Code, namely, prohibited, restricted, and non-restricted weapons, back to the RCMP.

The previous government chose to give cabinet the final say, even authorizing it to ignore the definitions set out in the Criminal Code. Bill C-71 depoliticizes the classification of firearms.

The owner of a restricted or prohibited firearm is not allowed to transport it wherever they want. They must have an authorization to transport. Four years ago, the previous government made authorizations to transport automatic, meaning they were automatically issued together with the licence for the most common destinations. After that decision was made, it became virtually impossible for police to check whether a gun owner was really transporting their gun for legitimate purposes. To fix that flaw in the legislation, Bill C-71 tightens up the authorization to transport rules.

Honourable senators, the bill's opponents accuse the government of harassing licensed gun owners. That is a gross exaggeration. For the vast majority of licensed gun owners, nothing will change if this bill is passed. In a handful of cases, the new measures will require the owner to make a phone call or visit a government website. That is a far cry from harassment.

[English]

The bill's adversaries have also asserted that gun control initiatives have not produced results in Canada or in other countries. This assertion is contradicted by a wide body of research in Canada and around the world. For instance — and this is just one example among many — research done by the Quebec Public Health Institute has shown that the adoption of Bill C-68 produced a decrease of 50 homicides per year in Canada and 72 suicides per year. That is more than 120 lives saved in Canada each year.

As one of Canada's foremost experts on suicide, Professor Brian Mishara stated that Bill C-71:

... will not solve the suicide problem in Canada, but based upon experiences elsewhere lives will be saved. When that life is your son, daughter, husband or wife, you would do anything to have that person continue to be alive.

Yesterday, when this chamber defeated the committee's amendment to the bill, some said we did it for partisan reasons. This accusation is unfair and untrue. We did it because we are

convinced that in its original form, Bill C-71 can save lives. The lives of women threatened by their partner, the lives of innocent victims of mass shootings, the lives of the vulnerable who, out of desperation, attempt suicide. I cannot think of a nobler motive than saving lives.

Honourable senators, Bill C-71 is a pragmatic and reasonable bill. The measures it contains will improve public safety. They will not bring back the long-gun registry and they do not harass law-abiding gun owners. Notwithstanding these facts, a good number of gun owners are concerned. Many of them fear that the bill will increase the bureaucratic burden that they feel they already carry. The government should do what it can to allay these legitimate concerns. For example, it should make sure the RCMP and the chief firearms officers provide better service standards. Owners should not have to wait hours or even days before an authorization to transport is issued. Also, the firearm classification process should be more expeditious and especially more transparent. The government has committed to this. It is its duty to follow through.

Colleagues, Indigenous leaders were not consulted during the drafting of Bill C-71. They were understandably angered and frustrated by this situation. The Assembly of First Nations, for one, expressed serious reservations regarding the impact of Bill C-71 on Indigenous people's hunting rights which, as you know, are protected by section 35 of the Constitution. That set us working with the AFN, other groups and Indigenous senators in this place in order to alleviate these concerns. In the end, I was advised by Senators Sinclair and Christmas that the non-derogation clause is already included in the Firearms Act, which states:

... nothing in this Act shall be construed so as to abrogate or derogate from any existing aboriginal or treaty rights of the aboriginal peoples of Canada under section 35 ...

This non-derogation clause satisfactorily protects Indigenous people's hunting rights. Therefore it is not necessary to amend Bill C-71 to address this issue.

Although I believe this outcome is satisfactory, the way we got there is not. It would have been far preferable for Indigenous representatives to be involved in the legislative process from the get-go. Consultation, alongside legislative drafting, may not be a constitutional duty pursuant to the *Mikisew* ruling, but it is a political and moral duty. Moreover, consulting Indigenous peoples in regards to this bill would have been consistent with the goal of reconciliation. It would also have made for better law.

• (1530)

I thank all Indigenous senators for their understanding, wisdom and guidance on this important file.

[Translation]

Honourable senators, Michèle Audette is one of the commissioners leading the National Inquiry into Missing and Murdered Indigenous Women and Girls. When she appeared

before the Standing Senate Committee on National Security, she courageously talked about how she tried to commit suicide six years ago. She said, and I quote:

In 2013, I was also prepared to leave. I took a mountain of pills with alcohol. Something then happened that had not happened during my previous suicide attempts. I went to look for a rifle where I was living and I tried to use it. What saved my life that morning was the cocktail of substances I had taken, which put me in a coma and prevented me from turning the gun on myself.

Most people who, like Ms. Audette, try to take their own lives by taking drugs or medication survive, but 80 per cent of those who use a firearm don't get that second chance at life.

Dear colleagues, I agreed to sponsor this bill because, like Alison Irons, Boufeldja Benabdallah, Michèle Audette and 80 per cent of Canadians, I believe that a better gun control regime will save lives. Think about it. We don't often see a bill that has the potential to prevent dozens of human tragedies.

Think about what this vote at third reading really means. This isn't a vote against lawful gun owners. It's a vote for life.

Thank you.

Hon. Senators: Hear hear!

[English]

Hon. Donald Neil Plett: I'm wondering if the honourable senator would take a few questions?

Senator Pratte: Of course.

Senator Plett: Thank you, Senator Pratte. There are three questions that I will ask. I'll ask them and give you an opportunity to answer them individually.

Yesterday, of course, this chamber decided to undo 30 hours of work that the Standing Committee on National Security and Defence did and ignore 81 witnesses by defeating a very good report. Today, we heard a senator stand and ask for leave to have a committee study a different contentious bill because the committee had decided that's what they wanted to do, so this chamber should acknowledge that and accept that as a good enough reason to grant them the opportunity to sit when the Senate is sitting, so on and so forth.

Senator Pratte, I'm perplexed by this. On the one hand, we're supposed to adopt and accept what a committee votes on, and, on the other hand, we're supposed to ignore all the hard work they did.

Could you, in a few words, explain to me what your definition is and your idea of what a committee is supposed to do and how much credence we are supposed to give to the good and hard work of all senators in this chamber for the work that they do at committee?

Senator Pratte: Thank you for this question. First of all, I disagree with your premise that by voting on the report yesterday this chamber undid hours of work and did not listen to 81 witnesses who appeared in front of the committee.

It is clear from the debates in committee and from the debates that we've had here that there is a lot of respect for what the committee did and heard, but not all 81 witnesses agreed on the bill. Second, it's clear from jurisprudence in this house and from speaker's rulings that when a report defeats the purpose of a bill that is being studied, the Senate is perfectly within its right — and that is certainly what the Conservative majority thought when they were a majority in this house — while respectful of the committee's work, to defeat the committee's report.

Senator Plett: I take it from that answer that we are supposed to ignore only the witnesses who are opposed to bill and those in favour of this bill have, of course, brought great testimony. That's what I took from that answer. Maybe somebody else will have taken something else from that answer, but that's what I gathered.

Senator Pratte, you said in your speech that a Conservative member in the other place presented an amendment that said for greater certainty this would not be a gun registry and that amendment was accepted. I know this won't be, specifically, your quote, but I heard you say what's good enough for the Conservative opposition over there is good enough for you.

I think the Conservative opposition over there voted against this bill. Why is that not good enough for you if you are so concerned about the Conservative opposition and so agreeable to it?

Senator Pratte: I'm always listening very closely to what the opposition in this house and the other house says. I try every time in my speeches — and I did today — to reflect what the opposition and the witnesses who were hostile to the bill said. I said that some of their concerns were legitimate and that the government should act on them.

This being said, I was speaking specifically on this issue of the gun registry. When that amendment was introduced, the Conservative MP who introduced the amendments said specifically that this will solve the problem. This will solve the problem. I said — and I repeat what I said in my speech — if the Conservative opposition in the other place says that the problem of the long-gun registry is solved by this amendment, well, this amendment is now part of the bill in its original form. If we had voted in favour of the report yesterday, this amendment would not be in the bill. It is in the bill now. It reassures the official opposition in the other place. I think it should reassure all legitimate firearm owners that this will not reintroduce in any way, shape or form the long-gun registry.

Senator Plett: One last question. Last week — and I alluded to this in my speech yesterday — one of the senators opposite said in her speech that there is one purpose and one purpose only for guns, and that is killing. Is that your assertion as well, that the only purpose for a gun is to kill?

Senator Pratte: No. I think there are many sport shooters who shoot for other purposes, but all guns have the potential to kill. That's why we have to be extra careful in the way we manage guns in society. That is why there are rules. Very precise and detailed rules as appropriate, as is the case for cars, for instance.

I believe that this bill will reinforce the gun control regime as is warranted by the current situation, as is approved by a vast majority of Canadians, including Conservative voters, and without imposing on legitimate, law-abiding gun owners an excessive bureaucratic burden.

[Translation]

Hon. Leo Housakos (Acting Deputy Leader of the Opposition): I move the adjournment of the debate in my name.

[English]

Senator Moncion: On debate. I would like to go on debate if I can.

Senator Plett: It's already been adjourned.

The Hon. the Speaker: Honourable senators, there is an adjournment motion on the floor. We had this problem last Thursday, as honourable senators will remember. It's entirely up to Senator Housakos who has the floor and put the adjournment motion.

[Translation]

Senator Moncion: Honourable senators, I rise today to speak to Bill C-71, which amends the Criminal Code, the Firearms Act and its regulations by tightening the administrative requirements related to the acquisition, transfer and transportation of firearms as well as licensing.

These new requirements will apply to all firearms owners, both the ones who obey Canadian laws and the ones who contravene them, as well as those who might be considered to be at risk of committing a violent crime.

In addition, Bill C-71 will provide law enforcement with the essential tools needed to enhance public safety and help solve crimes committed with a firearm.

[English]

To this effect, the bill mainly requires that the sellers retain transaction records relevant to police investigations, a practice that is already widely followed. From a technical standpoint, this does not constitute a firearm registry such as that which was abolished in 2012. The bill expressly addresses this concern within a provision.

• (1540)

Lobbies and interest groups who oppose any form of firearm regulation fail to provide evidence-based information, which perpetuates misinformation inspired by the political and legal rhetoric of the National Rifle Association, or NRA. This issue will be the focus of my intervention today.

[Translation]

Canadian lobbies and interest groups are trying to adapt old rhetoric to the context of Bill C-71 by suggesting that stricter firearms regulations attack the rights and freedoms of gun owners and that restricting access to firearms is a national security threat.

However, scientific research and the rule of law unequivocally contradict these claims. This leads us to question the ability of the legislator to objectively conduct a more in-depth analysis of Bill C-71 in a political climate disproportionately dominated by the rhetoric of the gun lobby.

[English]

There is no denying that the firearms lobby disproportionately influences public and parliamentary debate. The strong presence of lobbying is not new to our democratic institution, but its significant presence increases the need to raise awareness of the influence and further emphasizes the importance of exercising our legislative functions as objectively as possible in a manner that is representative of all Canadians.

[Translation]

Parliamentarians have been actively sought out by the gun lobby as they were working on Bill C-71. They have received countless communications from that lobby.

[English]

An article in *The Hill Times* highlights this problematic trend as follows:

The right of all Canadians to be safe from gun violence was continually overshadowed by the apparently supremely critical importance of not letting one single gun owner get “caught up in a background check” and lose their licence.

This is what the overwhelming majority of Canadians believe and expect. Yet the entire political process — from speeches in House of Commons to debates in the media to the parliamentary hearings — was predominantly focused on how the law would affect “law-abiding gun owners.” Each measure (and each amendment) was subject to a barrage of questions and criticisms from the perspective of hunters, target shooters, collectors, and businesses. Even the notion of making a phone call to validate a buyer’s licence was considered a major cause for concern.

[Translation]

Although the gun lobby doesn’t influence legislative reforms in Canada as much as it does in the United States, it indirectly sways the course of debate on firearms regulation. That influence is clear even among parliamentarians who support Bill C-71. They focus more on refuting the gun lobby’s rhetorical arguments and less on concerns raised by gun control advocacy groups that have access to fewer resources and means.

This ends up being more about placating the gun lobby than thoroughly considering issues related to firearms regulation. We’re biased from the start, believing that Bill C-71 does nothing to address gang-related gun violence or crime, that all it does is impose regulations on law-abiding citizens, and that it violates Canadians’ basic rights and freedoms and the right to self-defence.

Is the argument that this violates Canadians’ basic rights and freedoms valid?

[English]

The premise inherited from the NRA’s rhetoric implies that the government is acting outside the rules of law whenever it attempts to regulate firearms. This statement is simply false and not supported by the legal community of the courts. Historically, this argument was used to sow fear among gun owners by suggesting that the issuance of licences for firearms is the first step towards the confiscation of firearms and the disarmament of civil society.

Researcher Frederick (Ted) Morton argues that regulating firearms is an infringement on constitutional rights under section 26 of the Canadian Charter of Rights and Freedoms.

Although the gun lobby endorses him, neither the Supreme Court of Canada nor the legal community, generally, have found merit in his argument. The Canadian Shooting Sports Association defends a similar position, arguing that the right to possess a firearm may not lie in the Charter or constitution but, rather, elsewhere in Canadian law and, stemming from the English Bill of Rights of 1689, just as the United States.

The overuse of legal jargon gives the firearm lobby a false credibility. The misuse of legalese aggravates misinformation to the public inclined to persuasion.

[Translation]

What about the right to self-defence? Economist John R. Lott came up with the idea that more guns equals less crime, in a book published in 1998 entitled *More Guns, Less Crime*.

The data collection and statistical analysis methodology used to find support for this theory has been harshly criticized in academic circles. Nevertheless, this premise helped shape the laxer gun regulations in many American states. The NRA and Canadian pro-gun lobbies use this book to exploit fears and push the idea that gun regulations are a threat to security and safety.

However, there are a number of studies that contradict this theory. For example, John J. Donohue, a researcher at Stanford University, has refuted this theory with compelling evidence and accepted statistical analysis methodology in an article entitled:

[English]

Right-to-Carry Laws and Violent Crime: A Comprehensive Assessment Using Panel Data and a State-Level Synthetic Control Analysis.

[Translation]

Essentially, the researcher finds a correlation between carrying firearms and violent crime and observes an increase of 13 to 15 per cent in violent crime in U.S. states where handgun regulations have been rolled back. The author suggests that the easier it is for people to access guns, the more guns there will be and the easier it will be for criminals to get their hands on them.

The author believes that loosening regulations could contribute to increasing gun violence in five ways: interventions meant to protect victims; increased crime by those who acquire the guns of licensed individuals via loss or theft; a change in culture induced by the hyper-vigilance about one's rights and the need to avenge wrongs that the gun culture can nurture; elevated harm as criminals respond to the possibility of armed resistance by increasing their gun carrying and escalating their level of violence. At the end of the day, and this is the fifth factor, the four aforementioned factors take up police time or increase the risks faced by police, impairing their ability to fight crime, which ultimately leads to more crime.

[English]

In Canada, the NRA has also funded research of Canadian gun owner, activist and former Simon Fraser University professor Gary Mauser. The researcher sought to defend the view that as a firearm may be used to defend oneself the regulation of firearms compromises public safety. The firearm lobby engages in fear mongering to reinforce the alleged correlation between possession of a firearm and security.

To do so, the lobby spreads an erroneous perception of the increased risk of violent crimes along with the false perception that a firearm is required for self-protection.

As the lawyer and researcher Scott Medlock put it in an article entitled, *NRA Equals No Rational Argument? How the National Rifle Association Exploits Public Irrationality*, the NRA has refined its presentation of crime to minimize the cost of gun violence and amplify the dread effect.

Images of violent crime are ubiquitous in popular culture and the public systematically exaggerates the number of homicides that annually occur.

[Senator Moncion]

The NRA and the firearm lobby in Canada exploit this fear in a variety of ways. This phenomenon — namely, risk perception and their impacts — was the focus of psychology Professor Paul Slovic from the University of Oregon. The author Scott Medlock paraphrases Professor Slovic to explain dread effects as follows:

• (1550)

Dreaded risks are exaggerated far beyond the actual risk they propose. The prototypical example is the shark attack. Very few people are attacked, much less killed, by sharks every year. Despite the extremely low risk, the fear of sharks is widespread. Dreaded risks are often exotic and uncommon but present in the popular culture and therefore are easy to understand.

[Translation]

This NRA-inspired rhetoric is commonplace on the blogs and publications run by Canada's gun lobbies. They present false legal arguments that mislead the public by insinuating that gun control is a violation of constitutional rights or by reinforcing the idea that no one is safe unless they own a gun. Those are arguments we have heard in this chamber.

First of all, the government is not claiming that Bill C-71 will solve all of our gun violence problems. That is a simplistic and reductionist view of the government's overall strategy, which aims to prevent and reduce gun violence and support law enforcement investigations.

[English]

Bill C-71 is part of a comprehensive approach to gun violence within the National Crime Prevention Strategy, which provides for \$327 million over five years to counter the increase of armed violence and gang activity; \$291 million over five years to address safety concerns of First Nations and Inuit; and to conduct an extensive review of the possibility to prohibit handguns and assault weapons in Canada in compliance with the rights and freedoms of Canadians.

This strategy underscores a far more complete solution to the misuse of firearms.

[Translation]

I just want to read you an excerpt from an article by Bob Hepburn that appeared in the *Toronto Star* under the headline, "Why is Canada's gun lobby so powerful?"

[English]

Gun violence has grown so bad that Canada now ranks fifth among the 23 countries in the Organization for Economic Co-operation and Development in rates of firearm deaths.

Why has Canada failed to act despite widespread public support for stiffer gun laws? The reason is primarily twofold:

First, the pro-gun lobby is large, vocal and well-financed.

Second, gun-control advocates are relatively weak. To be blunt, after each mass shooting, Canadians send prayers and flowers — and then do nothing.

While clearly not as well organized as the National Rifle Association in the U.S., the main pro-gun organizations in Canada have been extremely successful in fighting any moves to impose more controls on guns.

In words similar to NRA-speak, the National Firearms Association says it focuses on “the protection of real democracy” in Canada and fighting for “property rights.” The Canadian Shooting Sports Federation claims more than 30,000 members. The Canadian Coalition for Firearms Rights (CCFR) brags on its website of dozens of “accomplishments.” Earlier this year the CCFR openly urged its members to file misconduct complaints against —

The Hon. the Speaker: I’m sorry, senator, your time has lapsed. Would you like another five minutes?

Senator Moncion: Yes.

The Hon. the Speaker: Is it agreed, honourable senators?

Hon. Senators: Agreed.

Senator Moncion: To continue:

Earlier this year the CCFR openly urged its members to file misconduct complaints against Canadian doctors who support stronger gun control laws.

These groups tell their members and individual gun owners to join letter-writing campaigns, drowning MPs and senators in letters and emails.

Their biggest successes have been the repeal of the federal long-gun registry in 2012 and the chill they have put on all political parties when it comes to more controls.

[Translation]

This brings me to the end of my remarks today. As a resident of northern Ontario and advocate for the interests of my region, which is home to a substantial number of hunters, I wanted to make sure that this bill would not infringe on their rights or prevent them from taking part in their favourite fall activity.

Bill C-71 will restrict access to firearms for individuals considered at risk of committing violent crimes without compromising the privilege of owning a firearm for legitimate owners. It seeks to enhance background checks; enhance the effectiveness of the existing licensing system; standardize existing best practices among commercial retailers; ensure the impartial, professional, accurate and consistent classification of firearms; and bolster community safety by requiring specific transportation authorizations for restricted and prohibited firearms.

[English]

In order to engage in an informed parliamentary debate, it is essential to understand the influence of lobbies and their ubiquitous presence in discussing firearms regulations, particularly in the context of Bill C-71. Notwithstanding the pressure exerted by these groups, parliamentarians need to allow for diligent, thorough discussions beyond the discourse of the dominant group. Vigilance is paramount to tackle the spread of misinformation, and to ensure a strong and independent legislature that represents all Canadians.

Thank you for your attention.

Hon. Pamela Wallin: I wanted to ask a question.

I just wanted to say, senator — and I’m happy for your remarks — that, as somebody who grew up in the part of the world I did, I do not feel that I have been swayed or influenced in any way by gun lobbies. I grew up in an area where guns are tools; they are not weapons.

My view of this is that we have — and I’m a proponent of gun control on legal guns and gun owners. I for one would like to see a lot more focus on illegal guns and illegal gun users. I’m wondering whether you would agree that if the government had moved on that front and done something about assault weapons that there would be much more inclination to support more rules and regulations on legal gun owners.

Senator Moncion: All I can say, Senator Wallin, is that there has been a lot of work done by all governments against gun violence, but I don’t think it’s something that is easily fixed. There is caution by any government to fast-forward any legislation that is touching on guns and gun owners, because of the lobby and the pressure that we are under as legislators.

There is money being put into crime and illegal guns, and trying to find ways to work around — I will have to answer in French. It’s going to be easier.

[*Translation*]

Given the pushback from gun lobbies against any attempt to regulate firearms, it's much easier for the government to make gradual changes rather than sweeping ones.

My staff looked at this bill in light of the work done by lobbyists and the money given to these pressure groups. You've received a number of emails in that regard. Guns are used by hunters and by those who want to protect their homes against things like animals, for example. I'm not sure whether that answers your question.

The debate isn't just about asking the government to adopt measures. Investments will be made in projects, as is currently being done. The problem is much more widespread. Illegal firearms are entering Canada much more quickly than the regulation of legal firearm owners.

• (1600)

(On motion of Senator Housakos, debate adjourned.)

(At 4 p.m., pursuant to the order adopted by the Senate on February 4, 2016, the Senate adjourned until 1:30 p.m., tomorrow.)

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